

**MINUTES OF THE SHAFTSBURY SELECT BOARD  
MAY 5, 2008  
COLE HALL  
SHAFTSBURY, VERMONT**

Board Present: **Lon McClintock, Karen Mellinger, Cinda Morse, Bill Pennebaker, Wynn Metcalfe**

Others Present: **Henri Billow (Treasurer), Mike Gleason (Bennington Banner), Aaron Chrostowsky (Town Administrator), Susan Swasta (Recording Secretary)**

1. Call Meeting to Order:

**Chairman Lon McClintock called the meeting to order at 7:00 PM.**

2. Conflict of Interest Statement:

**Chairman McClintock asked if any Board member has a conflict of interest with any topic on tonight's agenda. None did.**

3. Announcements:

**Chairman McClintock said that Green Up Day had been a big success and thanked Karen Mellinger for her work. Ms. Mellinger thanked the Recreation Committee and Aaron Chrostowsky. Mr. Chrostowsky thanked the road crew and road foreman and TAM. He said that Green Up trash in green bags can still be brought to the Town transfer station at no charge.**

**Chairman McClintock announced dates and times of Free Metal Week, Free Tire Day, and Hazardous Waste Day. He announced closures for Memorial Day: the transfer station will be closed Saturday, May 24, and Cole Hall will be closed Monday, May 26. The Select Board will not meet May 26.**

**Wynn Metcalfe thanked the Hale Mountain Fish and Game Club for a very successful fishing derby. He thanked the Dick Rice family for donating funds to pay for the event.**

4. Public Comments:

**There were no public comments.**

5. Meeting Minutes:

**April 7, 2008 Select Board minutes**

Cinda Morse made motion to approve April 7, 2008 minutes. Ms. Mellinger seconded.

**The following corrections to the April 7 minutes were requested:**

***On page 1, under item 4 (Public Comments), first sentence is changed to:***

**Mitchell Race stated that notices for the last several meetings were not published in the Banner.**

***On page 1, under item 5 (Treasurer's Report), second sentence is changed to:***

**There was a brief discussion of the grant booking problem and its impact on the end**

of the year budget.

*On page 2, under item 5 (Budget Status & Strategy Report), last sentence is changed to:*

**The board agreed to provide the following services: Landfill - Hazardous Waste, Landfill - Tire Removal, and Landfill - Brush-pile in June 2008, so that payment would be in the new fiscal year.**

Motion to approve April 7, 2008 minutes as amended carried 5-0-0.

**April 28, 2008 Select Board minutes**

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Ms. Morse made motion to approve April 28, 2008 minutes. Ms. Mellinger seconded. Motion carried 5-0-0.

6. Warrants:

**The following warrants were presented for approval:**

<b>Payroll Warrant #44:</b>	<b>\$ 7,185.87</b>
<b>General Warrant AP#46:</b>	<b>\$ 6,166.83 (power, cemetery mowing)</b>

Ms. Morse made motion to pay warrants. Ms. Mellinger seconded. Motion carried 5-0-0.

**Chairman McClintock asked if this year's budget covers cemetery mowing for next spring and early summer as well as this summer. Mr. Metcalfe replied that it just covers this year. He does not know if there is money budgeted for next year but will check.**

7. Act on Highway Department Truck Bids:

**There was discussion of the two financing bids. Payments will be lower because the lease will be for six years rather than five years.**

Ms. Morse made motion to accept the Delurie cab and chassis bid of \$70,890. Ms. Mellinger seconded. Motion carried 5-0-0.

Ms. Morse made motion to accept the Fairfield plow and dump body bid of \$50,085. Ms. Mellinger seconded. Motion carried 5-0-0.

Ms. Mellinger made motion to accept the MLC bid for truck lease financing. Ms. Morse seconded. Motion carried 5-0-0. (This motion had been made first, but Ms. Mellinger agreed to hold it until after the truck bids had been accepted.)

8. Treasurer's Report:

**Chairman McClintock thanked Ms. Billow and Mr. Chrostowsky for their hard work reviewing grant funds and doing reconciliation of General Fund budgets. Ms. Billow explained that they had found three grants from which monies were owed to the General Fund. The total amount is \$23,529.87. She said that there is \$16,529 cash on hand, with another \$14,000 due to the Town. However, \$6,000 of the money due is from the Howard Park Fund, which is running a deficit, so they will not receive this amount.**

**There was discussion of the Howard Park deficit, which is due to maintenance costs exceeding the amount available from the park fund over a number of years. Ms. Mellinger said that she thought they had consolidated park funds and wiped out the**

deficit. Mr. Chrostowsky replied that they had, but there have been significant maintenance issues and not enough has been budgeted to cover them.

Chairman McClintock stated that the Grant Fund and General Fund are now accurately stated. All of the bills associated with this have been paid; it is just a matter of accurate financial statements. There was discussion of the overall budget situation, which shows a deficit of \$5800 for the remainder of the fiscal year. The Board will discuss possible measures to deal with this at the next meeting.

Ms. Morse made motion to approve Treasurer Henri Billow's accounting corrections. Ms. Mellinger seconded. Motion carried 5-0-0.

9. Peters Flats Intersection Study:

Road Foreman Ron Daniels stated that one of the Town trucks is too far gone to use and will require a new oil pan, at a cost of about \$600. Chairman McClintock said that the Town needs the trucks on the road. The repair was left to Mr. Daniels' discretion.

Chairman McClintock stated that Mr. Daniels wants to revisit the Board decision to put in a four-way stop at the intersection of Myers, Coulter, Tinkham, and Cross Hill Roads. He said that Alison Church was asked to critique the Bennington County Regional Commission (BCRC) report in favor of the change, and advised against it. In addition, a BCRC document on multi-way stop signs specifically states that stop signs should not be used for speed control. In this case, speed on Tinkham Road was a factor in the decision.

Chairman McClintock said that he and Mr. Metcalfe had voted against the four-way stop, so one of the other three Board members would have to make a motion to reconsider the decision.

Ms. Mellinger made motion to reconsider the Select Board decision to put in a four-way stop at the Peters Flats intersection. Mr. Pennebaker seconded.

Chairman McClintock noted that another reason for putting in the stop signs had been poor visibility on Tinkham Road. The road crew has cleaned up brush and improved sight lines. Mr. Daniels confirmed that sight distance now exceeds the minimum required for a 35 mile-per-hour zone. Ms. Mellinger recalled that intersection warning signs had been discussed and asked if this would be a possibility instead of stop signs. Mr. Daniels replied that this would just be more signs to have vandalized. He said that many drive over the speed limit there, but that is an enforcement issue. He noted that traffic stopping at intersections causes more wear and tear on roads.

Ms. Morse said that this is a process issue. BCRC had been hired to address the matter and then someone had asked Ms. Church for input. She feels that this creates a conflict, and that Jeff Mast, who did the BCRC study, should be included in the discussion and decision. Chairman McClintock said that Mr. Mast had been invited, but had decided not to attend. The BCRC sent a letter, written by Mr. Mast, on April 22.

Mr. Chrostowsky went to get the letter, and Mr. Daniels went to get photographs he had taken of Tinkham Road after brush cutting. Ms. Mellinger noted that the letter states that if changes have been made, new analysis may be warranted. It was agreed to table the decision until Mr. Mast has another look at the intersection and gets back to them.

10. Highway Department Work Plan:

Mr. Chrostowsky distributed the work schedule for March-October 2008 and noted

which projects are finished or in process. Mr. Metcalfe noted that mowing is listed on the schedule and asked when they had decided not to contract mowing, as had been done last year. Ms. Morse said they had budgeted for this, and it was intended to free up the road crew for other work and get all the mowing done at once. Mr. Metcalfe added that the Town tractor and mower are not suitable for the work.

Mr. Daniels replied that by doing the mowing themselves they will save enough to buy a tractor. After further discussion, it was agreed that Chairman McClintock, Mr. Chrostowsky, and Mr. Daniels will meet on this issue. Mr. Chrostowsky said there would no problem putting it out to bid this week if they choose to do so. Mr. Metcalfe said that the Board needs to be in on it if something major like this is changed.

Mr. Metcalfe asked if the very steep ditches on LaClair Road will be backfilled. Mr. Daniels replied that they will be lined with stone before winter.

Mr. Daniels stated that it is possible to start paving Church, Ledgely, and Westview Streets now and he would like to do so.

Mr. Metcalfe made motion to proceed with paving Church, Ledgely, and Westview streets now, in agreement with Road Foreman Ron Daniels' recommendation. Ms. Mellinger seconded. Motion carried 4-0-1. (Chairman McClintock abstained.)

11. Gessner Permit Refund:

**Board members agreed that even though the Gessner decision had been made in a Development Review Board (DRB) working session rather than a regular meeting, it had involved a permit, for which a fee is charged. The decision was not Zoning Administrator Tony Zazzaro's discretion, but had to go to the DRB. Chairman McClintock noted that, even if the matter could have been decided without a permit application, that would have required legal advice, which would have incurred cost.**

Ms. Morse made motion to deny refund of the Gessner permit fee. Mr. Pennebaker seconded. Motion carried 5-0-0.

12. Howard Park Sport Equipment Shed:

**It was decided to table discussion of this matter until Mark Boudreau can be here.**

13. Forest Service Meeting Minutes Language Adjustment:

**Board members discussed the Forest Service request to change the May 7, 2007 Select Board minutes to correct the names of two tracts. It was decided to make a new motion rather than changing the 2007 minutes.**

Ms. Morse made motion to support National Forest Service acquisition of the Prescott and Batonick tracts. [See attached map, Appendix A] Mr. Pennebaker seconded. Motion carried 5-0-0.

14. Street Dance Status:

**Chairman McClintock asked if anything is happening on the street dance. Mr. Metcalfe replied that the committee has not met yet, but that people still seem to have the energy to have the dance again this year.**

15. Select Board Goals Update:

Chairman McClintock asked for comments on the Select Board goals and schedule for completion. Some goals do not have an assigned deadline yet. Ms. Morse suggested December 2008 for the personnel policy.

There was discussion of the reappraisal plan. Mr. Metcalfe noted that they had not put a request for proposals (RFP) in the paper for the reappraisal, and he thinks this should be done. Chairman McClintock and Mr. Chrostowsky said there is a list of people approved by the state for reappraisal. Ms. Morse said that they still have to follow the process.

Board members discussed whether or not it is acceptable to deviate from RFP policy in this matter. It is unclear whether RFP's have gone out to every person on the state list. Chairman McClintock said that he will ask Lister Angie Abbatello if she wants to come to the Board and explain deviation from the purchase policy. Ms. Morse stated that when they deviate from policy it should be done on the front end.

Regarding the goal of broadband technology expansion, Ms. Morse stated that they need to decide pieces to work on this year. Mr. Pennebaker noted that this is just in the formative stages. He will have more information after an upcoming meeting. Ms. Morse asked that he inform Art Whitman and Phylis Porio of the Economic Development Committee about the meeting.

Mr. Metcalfe asked what the Long Range Financial Planning Committee is. Chairman McClintock said discussion on this will be coming up on the agenda over the next two weeks. This committee will make recommendations on long range planning to help the Board tackle issues.

16. Town Administrator's Update:

Mr. Chrostowsky passed around the letter to Charlie Becker for Board signatures.

17. Other Business:

Mr. Metcalfe noted that the Bennington Rescue Squad has an excellent response time to Hidden Valley. He thanked them.

Mr. Pennebaker reported on methane remediation, and said that things are going in the right direction with his model.

Chairman McClintock said that the Town needs a new tree warden, They can make suggestions to Mr. Chrostowsky. Mr. Pennebaker said the old tree warden may be interested. Jim White and Bill Sargent were mentioned.

Ms. Morse made motion to adjourn. Ms. Mellinger seconded. Motion carried 5-0-0.

The meeting adjourned at 9:11 PM.

**Respectfully Submitted,  
Susan Swasta**